

REMARKS/ARGUMENTS

After the foregoing Amendment, claims 89 - 118 are currently pending in this application. Claims 1 – 56 and 72 were previously canceled without prejudice. Claims 57 – 71, and 73 – 88 are canceled without prejudice. New claims 89 - 118 are added.

Examiner Interview

Applicants thank the Examiner for granting a telephonic interview with the Applicants' representative on February 8, 2011. During the telephonic interview differences between independent claim 57 and the cited reference Crichton et al. in the January 25, 2011 Advisory Action were discussed.

Claim Rejections - 35 USC §103(a)

Claims 57-62, 64-69, 71-84 and 86-88 have been rejected under 35 USC §103(a) as being unpatentable over U.S. Patent No. 6,330,459 to Crichton (hereinafter “Crichton”) in view of U.S. Patent No. 6,108,323 to Gray (hereinafter “Grey”).

Claim 85 have been rejected under 35 USC §103(a) as being unpatentable over Crichton and Gray in view of U.S. Patent No. 6,593,880 to Velazquez et al. (hereinafter “Velazquez”).

Claims 63, 70 and 88 have been rejected under 35 USC §103(a) as being unpatentable over Crichton and Gray in view of U.S. Patent No. 5,396,541 to Anderson et al. (hereinafter “Anderson”).

Crichton does not disclose *using a selectively operable beamforming antenna to direct a downlink common channel transmission toward a relative location of the WTRU* as recited in independent claim 89. Instead, Crichton teaches transmitting system information to the WTRU using a narrowbeam control channel (Abstract). The term ‘control channel’ is used to distinguish from logical traffic channels; whereas the term ‘common channel’ is used to distinguish from dedicated transport channels. Thus, transmitting a control channel is not equivalent to transmitting a common channel, and Crichton does not teach, suggest, or imply all of the elements recited in independent claim 89.

Grey, Velazquez, and Anderson, taken alone or in any combination, fail to remedy the deficiencies of Crichton. Therefore claim 89 is distinguishable over the combination of Crichton, Grey, Velazquez, and Anderson.

Independent claims 95, 101, and 110, though not identical to claim 89, recite similar elements to claim 89, and are therefore distinguishable over the

combination of Crichton, Grey, Velazquez, and Anderson, for at least the same reasons.

Claims 90 – 94, 96 – 100, 102 – 109, and 110 – 118 depend from claim 89, 95, 101, and 110 respectively, and the Applicants believe these claims are allowable over any combination of Crichton, Grey, Velazquez, and Anderson for at least the reasons provided above.

Based on the arguments presented above, withdrawal of the 35 U.S.C. § 103(a) rejection is respectfully requested.

Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the present application, including claims 89 - 118, is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

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Enclosures (2)